

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
A. DAVID COPPERTHITE
UNITED STATES MAGISTRATE JUDGE

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April 17, 2023

TO COUNSEL OF RECORD

Re: EEOC v. Sinclair Broadcast Group, inc., LKG-22-2406

Dear Counsel:

This case was referred to me for discovery and all related scheduling on March 27, 2023. ECF No. 33. I am in receipt of ECF Nos. 38 and 41 regarding discovery disputes that once again have arisen between the parties. My Paperless Order on March 27, 2023 directed the deposition of the charging party witness to occur within 30 days of that date or on a date mutually agreed upon by the parties. ECF No. 35. It appears that Plaintiff EEOC refused to produce the witness for deposition within the 30 days, arguing that Defendant has failed to produce documents, including ESI. ECF No. 41. The Plaintiff EEOC is in direct violation of this Court's Order. Unless otherwise ordered by the Court, the existence of a discovery dispute as to one (1) matter does not justify delay in taking any other discovery. Loc. R. 104.3 (D.Md. July 2021). It appears that Plaintiff took it upon itself to violate this rule and failed to produce the charging party witness for deposition. Plaintiff stated that the Court's Order does not say what it clearly says. Plaintiff did not seek proper redress but instead blatantly violated this Court's order. The Plaintiff EEOC is warned that another violation of this Court's Order will result in a show cause hearing why sanctions should not be imposed.

Plaintiff in response, argues that (1) there was no meet and confer regarding the dispute (2) Defendant has failed to produce documents that are critical to preparing the witness for deposition, and (3) Defendant is factually incorrect about the events leading up to this current dispute. Plaintiff may have some valid arguments but that does not excuse Plaintiff's conduct here in violating a Court Order. In considering the information provided in these filings, I ORDER the Defendant to fully comply with production of discovery within 14 days of this date, including all the materials Plaintiff alleges are lacking in production. Plaintiff EEOC is ORDERED to produce the charging witness for deposition within 21 days of this Order. Defendant is also warned that any misrepresentations to the Court as to the events regarding discovery or meet and confer conferences will not be tolerated by the Court. Again, I encourage the parties to work together to resolve differences, follow the proper protocols established by the Local Rules and continue the discovery process.

Despite the informal nature of this letter, it is an Order of the Court and will be docketed accordingly.

Very truly yours,



A. David Copperthite
United States Magistrate Judge